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EXAMINER

COLON, CATHERINE M

ART UNIT	PAPER NUMBER
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3623

DATE MAILED: 12/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/747,320

Applicant(s)

BUDKA ET AL.

Examiner

C. Michelle Colon

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 6 October 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. The following is a Final Office Action in response to the communication received on October 6, 2004. Claims 1, 8, 15 and 19 have been amended. Claims 1-19 are now pending in this application.

#### ***Response to Amendment***

2. Applicant's amendments to claims 1, 8, 15 and 19 are acknowledged.

#### ***Response to Arguments***

3. Applicant's arguments have been fully considered, but are found unpersuasive. In the Remarks, Applicant argues that Knudson et al. does not teach or disclose the newly added limitation, wherein one of the request window and task window is displayed within the project window while the project identifier and the project status are displayed within the project window concurrently.

Examiner respectfully disagrees with the argument. In particular, col. 2, lines 42-46 and 56-64, as well as Figure 1 indicate the ability for users to view and manage tasks associated with specific, identified projects. Thus, users can concurrently view tasks associated with certain projects. Additionally, in col. 4, lines 47-67 and col. 6, lines 60-65, Knudson et al. discloses that each project management module has its own interface analogous to the windows functionality well known to Microsoft Windows software. Thus, the module windows would be able to be moved and placed around the computer screen, including being placed within other module windows. Therefore,

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Examiner respectfully submits that Knudson et al. does disclose one of the request window and task window being displayed within the project window while the project identifier and the project status are displayed within the project window concurrently

Accordingly, Applicant's arguments have been fully considered, but are found unpersuasive and the rejections of claims 1-19 are provided below.

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Knudson et al. (U.S. 5,765,140).

As per claim 1, Knudson et al. discloses a data structure for an automated project tracking system, the data structure residing in a computer readable memory and comprising:

a project window comprising a project identification field formatted to receive and display a project identifier and a project status field formatted to receive and display a project status (col. 2, lines 42-46 and 56-64; col. 4, lines 47-67; Figure 1; The system discloses a project tracking system that incorporates the well known "windows" interface and appearance to view and edit project data such as identification and status information. Projects are tracked and maintained in a database.);

a request window comprising a request identification field formatted to receive and display a request identifier and a request status field formatted to receive and display a request status (col. 5, lines 15-31; col. 6, lines 4-30; The system discloses a request window (TES/Plan interface module) through which users request to assign resources to project tasks. Only authorized users with designated levels can access/edit the system.); and

a task window comprising a task identification field formatted to receive and display a task identifier and a task status field formatted to receive and display a task status (col. 7, lines 1-14; col. 9, lines 48-50; The system discloses a task window (TES/PC module) in which task identifier and status are displayed to a user.),

wherein one of the request window and task window is displayed within the project window while the project identifier and the project status are displayed within the project window concurrently (col. 2, lines 42-46 and 56-64; col. 4, lines 47-67; col. 6, lines 60-65; Figure 1; The system discloses that each module has its own interface analogous to the windows functionality well known to Microsoft Windows software. The system also discloses the ability for users to view and manage tasks associated with specific, identified projects.). Knudson et al. does not expressly disclose wherein the request and task windows are displayed as overlapped pages within the project window and each of the request and tasks windows is selectable via a page selector within the project window. However, Knudson et al. does disclose that each module has an interface with the typical and well known Microsoft Windows appearance and functionality (col. 4, lines 47-67; col. 6, lines 60-65). It is old and well known that an

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application having "typical" Microsoft Windows appearance and functionality consists of multiple display windows on the computer screen, the display windows being selectable with a selector such as a mouse pointer and being able to be moved and placed around the computer screen including being able to overlap each other. Thus, at the time of the invention, it would have been obvious to a person of ordinary skill in the art for the system of Knudson et al. to have certain project management windows be displayed as overlapped pages and be selectable since such functionality is so old and well known in the art, that it is the type of interface most computer users are accustomed to, therefore, providing a flexible, convenient and easy-to-use interface for users.

As per claim 2, Knudson et al. discloses the data structure of claim 1, wherein the project window further comprises a request list, comprising:

a request identification field formatted to display a request identifier for each of a number of requests for a project and a request status field formatted to display a request status for each of the number of requests for the project (col. 5, lines 53-58; col. 6, lines 4-30; The system discloses a request window (TES/Plan interface module) through which users request to assign resources to project tasks.).

As per claim 3, Knudson et al. discloses the data structure of claim 1 wherein the request window further comprises a task list, comprising:

a task identification field formatted to display a task identifier for each of a number of tasks for a request for a project and a task status field formatted to display task status for each of the number of tasks for the request for the project (col. 6, lines 4-

36; col. 7, lines 1-14; Figure 4; The system discloses a task assignments table, which identifies individual tasks and tracks their status as well as the responsible resource.).

As per claim 4, Knudson et al. discloses the data structure of claim 1 wherein the task window further comprises an invoice list, comprising:

an invoice identification field formatted to display an invoice identifier for each of a number of invoices for a task and an invoice amount field formatted to display an invoiced amount for each of the number of tasks (col. 9, lines 1-4; The system discloses billing and charge back functionalities in the project tracking system.).

As per claim 5, Knudson et al. discloses the data structure of claim 1 wherein the task window further comprises:

a committed amount field formatted to automatically display a cumulative total of amounts committed to a project and an invoiced amount field formatted to automatically display a cumulative total of amounts invoiced to the project and a balance amount field formatted to automatically display a difference between the cumulative total of amounts committed to the project and the cumulative total of amounts invoiced to the project (col. 8, lines 4-40; The system tracks the progress of project tasks so that cumulative labor costs are also tracked.).

As per claim 6, Knudson et al. discloses the data structure of claim 1 wherein the project window further comprises a funding source list, comprising:

a funding source identification field formatted to display a funding source identifier for each of a number of funding sources for a project and a funding amount field formatted to display a funding amount for each of the number of funding sources

for the project (col. 8, lines 10-29; The system discloses mapping funding sources to projects, where the funding sources are identified and stored in a database.).

As per claim 7, Knudson et al. discloses the data structure of claim 1 wherein the request window further comprises a request list, comprising:

a request identification field formatted to display a request identifier for each of a number of requests for a project and a request status field formatted to display a request status for each of the number of requests for the project (col. 5, lines 53-58; col. 6, lines 4-30; The system discloses a request window (TES/Plan interface module) through which users request to assign resources to project tasks.).

The limitations of claims 8-12 and 14-19 are substantially similar to those recited in claims 1-7. As such, claims 8-12 and 14-19 are rejected based on the same reasoning applied to claims 1-7 above.

As per claim 13, Knudson et al. does not expressly disclose wherein the visual representation of the project widow is in a first color, the visual representation of the request window is in a second color and the visual representation of the task window is in a third color. However, Knudson et al. does disclose utilizing the appearance of typical Microsoft windows (col. 6, lines 55-67). It is old and well known for the windows of Microsoft to be able to be altered in terms of size, color and font. Thus, at the time of the invention, it would have been obvious to a person of ordinary skill in the art for the system of Knudson et al. to utilize the appearance features/functions of its Microsoft



windows application so that users can more easily view the different data of the project, thus enhancing the user-friendliness of the project tracking system.

### ***Conclusion***

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Fredell et al. (U.S. 6,678,698) discusses a method for managing task-oriented projects;
- Borg et al. (U.S. 5,835,898) discusses a visual schedule management system;

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- Lehmann et al. (U.S. 5,737,727) discusses a process management system; and
- Mora et al. (U.S. 6,161,113) discusses a project notebook.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to C. Michelle Colon whose telephone number is 703-605-4251. The examiner can normally be reached Monday – Friday from 8:30am to 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz, can be reached at 703-305-9643.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.

Any response to this action should be mailed to:

***Commissioner of Patents and Trademarks***

***Washington D.C. 20231***

or faxed to:

703-872-9306	[Official Communications; including After Final communications labeled "Box AF"]
703-746-7202	[For status inquiries, draft communication, labeled "Proposed" or "Draft"]

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Hand delivered responses should be brought to Crystal Park 5, 2451 Crystal Drive, Arlington, VA 7<sup>th</sup> floor receptionist.



cmc

December 14, 2004



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